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09/853,778	05/14/2001	Tatsuyoshi Yamamoto	024190-00000	6632

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EXAMINER

TRAN, ELLEN C

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 07/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/853,778

Applicant(s)

YAMAMOTO ET AL.

Examiner

Ellen C. Tran

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 8 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 and 45-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 and 45-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communication: 8 April 2005, the original application was filed on 14 May 2001 acknowledgment is made of foreign priority of 12 May 2000
2. Claims 1-33, and 45-50 are currently pending in this application. Amendment to the claims is accepted. Claims 34-44 are canceled, claims 1, 3-7, 9-13, 15-17, and 24 have been amended. Claims 1, 3, 6, 7, 9, 11, 17, and 24 are independent claims.

Response to Arguments

3. Applicant's arguments with respect to claims 1-33, and 45-50 have been considered but they are not persuasive.

With respect to applicant's argument on page 20, "Applicants submit that Salo fails to disclosed or suggest each and every element recited in claims 1, 3, 6, 7, 9, 11, 17, and 24 of the present application. In particular, it is submitted that the secure remote access to enterprise networks of Salo is neither comparable nor analogous to the information access method and the network system of the present invention". The Office disagrees "An information access method comprising the steps of: placing a first server within a network, said network allows only predetermined access from an originator terminal" is taught in Salo paragraphs 0057 thru 0059 on pages 4-5 and on page 6, paragraph 0068. Note that the data center (which encompasses one or more servers) is protected by a firewall which allows access to information to users using remote devices, the information in the header of the request identifies the remote device being used to access the network.

With respect to applicant's argument on page 20, "Applicants submit that Salo fails to disclosed each and every element recited in claims 1, 3, 6, 7, 9, 11, 17, and 24 or the present application". The Office disagrees see below for details of the respective claims.

With respect to applicant's argument begging on page 20, "As claims 2, 4, 5, 8, 10, 12-16, 25-33 and 45-60 depend from claims 1, 3, 6, 7, 9, 11, 17 and 24, respectively, Applicants submit that each of these claims incorporates the patentable aspect therein, and therefore allowable for at least the reasons set forth above with respect to the independent claims". The Office disagrees the independent claims are rejected as cited below therefore the claims that depend from these claims are also rejected.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language

5. **Claims 1-33, and 45-50**, are rejected under 35 U.S.C. 102(e) as being anticipated by Salo et al. U.S. Patent Application Publication No. 2004/0193,695 A1 (hereinafter '695).

As to independent claim 1, "An information access method comprising the steps of placing a first server within a network said network allows only predetermined access from an originator terminal; connecting said first server with a second server located outside said network" is taught in '695 pages 4-5, paragraphs 0057-0059 and page 6, paragraph 0068;

“by a private line or a virtual private line other than said network” is shown in ‘695 page 7, paragraph 0081;

“taking at least some of files possessed by said first server and files possessed by said second server as common files whose contents are maintained in common with each other; and permitting an originator terminal allowed by said network to gain information of the common files in said second server through the common files in said first server by accessing to the common files in said first server” is disclosed in ‘695 page 6, paragraphs 0071-0073.

As to dependent claim 2, **“wherein said first server has a Web mail server function, and wherein information is exchanged between said first server and a wire or wireless communication device having a Web mailing function by Web mails while using said communication device as the originator terminal”** is taught in ‘695 page 2, paragraph 0023.

As to independent claim 3, **“An information access method comprising the steps of: placing a first server capable of responding to access from a wire or wireless an originator terminal within a network said network allows only predetermined accesss from an originator terminal; connecting said first server with a second server located outside said network”** is shown in ‘695 pages 4-5, paragraphs 0057-0059 and page 6, paragraph 0068;

“by a private line or a virtual private line other than said network” is disclosed in ‘695 page 7, paragraph 0081;

“loading a given application program into said second server” is taught in ‘695 page 4-5, paragraphs 0060-0067;

“said first server acting to cause said second server to activate and operate said application program when said first server receives access from an originator terminal allowed by said network and said access including commands for operating said application program, and acting to obtain results of operation of said program from said second server and to send the results to said originator terminal” is taught in ‘695 page 3, paragraphs 0039-0041.

As to dependent claim 4, “wherein said originator terminal is a cellular phone” is taught in ‘695 page 2, paragraph 23.

As to dependent claim 5, “wherein said network has plural segments independent of each other and communication control means; wherein said first server is placed in each of said segments; and wherein said predetermined access including specification of first server placed in any one of said segments so that said communication control means assigns access to the first servers specified by said access” is shown in ‘695 page 5, paragraph 0060.

As to independent claim 6, “A network system having a network which allows only predetermined access from an originator terminal, said network system comprising: a first server placed in said network and capable of responding to access allowed by said network” is disclosed in ‘695 pages 4-5 paragraphs 0057 & 0058 and page 6, paragraph 0068;

“a connection port for connecting said first server with a second server located outside said network by a private line or a virtual private line other than said network; wherein at least some of files held in said first server and files held in said second located outside said network by a private line or a virtual private line other than said network; wherein at least some of files held in said first server and files held in said second server

being common with each other; and wherein said first server permits an originator terminal allowed by said network to gain information of the common files in said second server through the common files in said first server by accessing to the common files in said first server” is taught in ‘695 page 7, paragraphs 0079 & 0086.

As to independent claim 7, **“A network system having a network which allows only predetermined access from an originator terminal, said network system, comprising: plural segments that are independent of each other within said network”** is shown in ‘695 pages 4-5 paragraphs 0057- 0059 and page 6, paragraphs 0068;

“a communication control means mounted within said network to assign access allowed by said network to any one of said segments a first server which is placed in each of said segments and is capable of responding to said access allowed by said network” is disclosed in ‘695 page 7, paragraph 0081;

“each of said segment having a connection port for connecting said first server with a second server located outside said network by a private line or a virtual private line other than said network” is taught in ‘695 page 7, paragraphs 0081-0082;

“wherein at least some or files held in said first server and files held in said second server being common files whose contents are maintained in common with each other in each segment; and wherein each of said first servers permits an originator terminal allowed by said network to gain information of the common files in said second server through the common files in said first server by accessing to the common files in this first server” is shown in ‘695 page 6, paragraphs 0071-0073.

As to dependent claim 8, “wherein each of said first and second servers is designed so that, if a change in the common files of its own occurs, differential data before and after the change is sent to other server and that, if said differential data is received from the other server, the differential data is automatically copied into the common files of its own” is disclosed in ‘695 page 3, paragraph 0041.

As to independent claim 9, “A network system having a network said network allows only predetermined access from an originator terminal, said network system comprising: a first server placed in said network and capable of responding to access allowed by said network; a connection port in said network for connecting said first server with a second server located outside said network by a private line or a virtual private line other than said network” is shown in ‘695 pages 4-5 paragraphs 0057-0059 and page 6, paragraph 0068;

“wherein said second server being loaded with a given application program; and” is disclosed in ‘695 page 3, paragraphs 39-41;

“wherein said first server acting to cause said second server to activate and operate said application program when said first server receives access from an originator terminal allowed by said network and said access including commands for operating said application program and acting to obtain results of operation of said program from said second server and to send the results to said originator terminal” is taught in ‘695 page 6, paragraphs 0071-0073.

As to dependent claim 10, this claim is substantial similar to dependent claim 2, and is rejected along the same rationale.

As to independent claim 11, **“A network system comprising: a network which allows only predetermined access from an originator terminal; a first server of a user enterprise placed within said network; a second server of said user enterprise placed outside said network”** is taught in ‘695 pages 4-5 paragraphs 0057-0059 and page 6, paragraph 0068;

“said first and second servers being interconnected by a private line or a virtual private line other, than said network” is shown in ‘695 page 7, paragraph 0081;

“wherein at least some of files held in said first server and files held in said second server being in-house information files of said user enterprise whose contents are maintained in common with each other” is disclosed in ‘695 page 7, paragraphs 0079 & 0086;

“wherein said first server including means for executing copying task which performs a copying task for maintaining said in-house information files of its own in common with the contents of said second server; and” is disclosed in ‘695 page 6, paragraphs 0071-0073;

“wherein said first server further including means for executing at least one of reception processing, transmission processing, information search processing and schedule processing according to contents of access allowed by said network, said reception processing for receiving information to be stored into said in-house information files of its own, said transmission processing for transmitting information stored in said in-house information files of its own, said information search processing for searching information stored in said in-house information files of its own, and said schedule processing for reading an in-house schedule stored in said in-house information file of its own or entering schedule into said in-house information file of its own, whereby permitting

Art Unit: 2134

communication between an originator terminal whose access is allowed and said second server through said in-house information file of its own” is taught in ‘695 page 7, paragraphs 0070-0074 and paragraphs 0079 & 0086.

As to dependent claim 12, “wherein said first server transfers information in the in-house information files among members of said user enterprise through said in-house information of its own” is shown in ‘695 page 10, paragraph 0115.

As to dependent claim 13, “wherein said first server further includes a means for creating an address book which extracts addresses of a given number of persons from an employee address book of said user enterprise stored in a predetermined database and creates a mobile address book based on the extracted addresses, and wherein said mobile address book is presented on said originator terminal” is disclosed in ‘695 page 4, paragraph 0056.

As to dependent claim 14, “wherein said first server has a time-measuring means, and wherein when said schedule processing is performed, only data about scheduled events later than the present date or present time are subjected to said schedule processing” is taught in ‘695 page 4, paragraph 0056.

As to dependent claim 15, “wherein (A) said originator terminal is a cellular phone having a Web mailing function, (B) said first server has a Web mail server function and responds to access from said cellular phone by a Web mail, and (C) information about a fee required for reception is displayed on said originator terminal for each different kind of information to be processed” is taught in ‘695 page 2, paragraph 0023.

As to dependent claim 16, “wherein said first server is designed to limit displaying a part of information to be displayed on said cellular phone” is disclosed in ‘695 page 6, paragraph 0071.

As to independent claim 17, “An information access method comprising the steps of: transmitting a command from an originator to at least one first server positioned within a network” is taught in ‘695 pages 4-5, paragraphs 0057-0059 and page 6, paragraph 0068;

“receiving data from said first server based on said command, said data is at least one file stored on said at least one first server maintained in common with on at least one file stored on at least one second server outside the network; and” is shown in ‘695 pages 6 paragraphs 0071-0073;

“coupling said at least one first server with said at least one second server by a private line or a virtual private line other than said network” is shown in ‘695 page 7, paragraph 0081;

“wherein said command is transmitted from said originator to a first router, and said first router routes said command to a firewall” is disclosed in ‘695 pages 4-5, paragraphs 0057-0059.

As to dependent claims 18 and 19, these claims contain substantial similar subject matter as dependent claim 2, and are rejected along the same rationale.

As to dependent claim 20, “further comprising the steps of: authorizing access through said firewall to a second router, said second router encrypts said command; and transmitting said command to said at least one first server based on encryption results” is taught in ‘695 page 7, paragraphs 0080-0081.

As to dependent claim 21, **“further comprising the step of: denying access through said firewall, said firewall determines that said command is unauthorized to access said network”** is shown in ‘695 page 5, paragraph 0063.

As to dependent claim 22 and 23, these claims contain substantial similar subject matter as dependent claim 2, and are rejected along the same rationale.

As to independent claim 24, **“An information access method comprising the steps of: positioning at least one first server within a network” and “securing said at least one first server with a firewall, said firewall having a network access control disposed therein”** is taught in ‘695 pages 4-5 paragraphs 0057-0059 and page 6 paragraph 0068;

“said at least one first server stores at least one common file maintained in common with at least one second server positioned outside said network” is taught in ‘695 page 6, paragraphs 0071-0073;

“coupling said at least one first server with said at least one second server by a private line or a virtual private line other than said network” is shown in ‘695 page 7, paragraph 0081;

“receiving a command from an originator; and transmitting said at least one common file stored in said at least one first server to said originator based on said command” is disclosed in ‘695 page 6, paragraphs 0071-0073.

As to dependent claim 25, **“said securing step further comprising the steps of: authorizing access to said network through said firewall; and accessing said at least one first server”** is taught in ‘695 pages 4-5, paragraphs 0057 & 0058.

As to dependent claim 26, “said securing step further comprising the step of: denying access through said firewall, said firewall determines that said command is unauthorized to access said network” is shown in ‘695 page 5, paragraph 0063 and page 6, paragraph 0070.

As to dependent claims 27-30, these claims contain substantial similar to dependent claim 2, and are rejected along the same rationale.

As to dependent claim 31, “said positioning step further comprising the step of: positioning said at least one first server within at least one segment of said network, said at least one segment comprises a port for coupling said at least one first server with said at least one second server” is disclosed in ‘695 page 7, paragraph 0083.

As to dependent claim 32, “further comprising the steps of: comparing a first set of files stored in said at least one first server with a second set of files stored in said at least one second server, and copying at least a portion of said second set of files to said first set of files so that said first set of files and said second set of files being identical” is shown in ‘695 page 6, paragraph 0073.

As to dependent claim 33, “further comprising the step of: transmitting at least a portion of the first set of files to said at least one second server so that said first set of files and said second set of files being identical” is disclosed in ‘695 page 6, paragraph 0073.

As to dependent claims 45, 46, 49, and 50 these claims contain substantial similar to dependent claim 2, and are rejected along the same rationale.

As to dependent claim 47, “wherein each of said first and second servers is designed so that, if a change in the common files of its own occurs, differential data before and after

the change is sent to other server and that, if said differential data is received from the other server, the differential data is automatically copied into the common files of its own” is disclosed in ‘695 page 3, paragraph 0041.

As to dependent claim 48, **“wherein each of said first and second servers is designed so that, if a change in the common files of its own occurs, differential data before and after the change is sent to other server and that, if said differential data is received from the other server, the differential data is automatically copied into the common files of its own”** is shown in ‘695 page 3, paragraph 0041.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

6. The prior art made of record and not relied upon is considered pertinent to applicant’s disclosure.

Araujo et al U.S. Patent Application Publication No. 2003/0191799

Chaganti et al. U.S. Patent No. 6,845,448 issued dated: Jan. 18, 2005

Art Unit: 2134

Richards et al.	U.S. Patent No. 6,754,707	issued dated: Jun. 22, 2004
Wallace, Jr.	U.S. Patent No. 6,601,707	issued dated: Jul. 29, 2003
Rai et al.	U.S. Patent No. 6,577,493	issued dated: Jun. 10, 2003
Xu et al.	U.S. Patent No. 6,151,628	issued dated: Nov. 21, 2000

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ellen C Tran whose telephone number is (571) 272-3842. The examiner can normally be reached from 6:30 am to 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory A Morse can be reached on (571) 272-3838. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ellen Tran
Patent Examiner
Technology Center 2134
1 July 2005


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